

## NOTICE OF FLSA/COLLECTIVE ACTION

FROM: Michael Shen, Esq.

TO: Any and all garage attendants who worked for Park It Management Corp., 211 Garage Corp., 301 Park Corp., 221 Thompson Street Park Corp. or any garage owned by Park It Management Corp. or 211 Garage Corp. (Collectively, Park It), during any period from February 19, 1999 to present.

RE: Denial of overtime pay under the Fair Labor Standards Act (FLSA) against Park It,

(1) INTRODUCTION. The purpose of this notice is to inform you of pending collective action lawsuits, Cabrera, et.al.v. 211 Garage Corp, et.al., 05 Civ. 02272, and Rodas, et al. v. Park It Management Corp. et al, 07-07313 in which plaintiffs seek payment of overtime pay for work exceeding 40 hours per week on behalf of former and present garage attendants. You may be a member of the Plaintiffs' class, and this Notice will advise you of how your rights may be affected by this suit, and instruct you on the procedure for participating in this suit.

(2) DESCRIPTION OF THE LAWSUIT. These lawsuits were brought by, Jhonny Cabrera and Francisco Rodas, who are former garage attendants for Park It, who claim on behalf of the class that, in violation of Fair Labor Standards Act (FLSA), Park It did not pay garage attendants overtime pay, that is, one and one half times the normal hourly pay for any hours worked in excess of 40 hours per week. Park It denies all the claims. The lawsuit is proceeding through pre-trial stages.

(3) COMPOSITION OF THE CLASS. The named plaintiffs seek to sue on behalf of themselves and also on behalf of other current and former garage attendants who are similarly situated. Specifically, the plaintiff seeks to sue on behalf of any and all garage attendants who currently or formerly worked for Park It who at any time between February 19, 1999 to the present, and were not paid 1.5 times their regular rate of pay for any time worked above 40 hours in any workweek..

(4) YOUR RIGHT TO PARTICIPATE IN THIS SUIT. If you fit the definition above, you may become a plaintiff in the Fair Labor Standards Act (FLSA) claim of this suit (that is, you may "opt in"), provided that you file or cause to be filed the attached Consent to Join on or before (DATE) If a person consents to join,

his or her continued right to participate in this suit may depend on a later decision by the court that the person and the named plaintiffs are “similarly situated” within the meaning of federal law. Additional Consent to Join forms and information regarding the specific filing deadlines are available from Plaintiff’s attorney Michael Shen, Esq., at 212-227-0300.

(5) EFFECT OF JOINING THIS SUIT. If you choose to join this suit, you will be bound by the judgment regarding minimum wages and overtime pay under the FLSA, whether it is favorable or unfavorable, and you will not be able to bring your own separate FLSA claim for the same time period. While the suit is proceeding you may be required to provide information, sit for depositions, and testify in court. If the lawsuit is successful and there is a monetary recovery, the attorney for the class may apply to be paid a part of the monetary recovery as attorney’s fees and litigation expenses. If you sign and return the Consent to Join Collective Action form attached to this Notice, you are agreeing to designate the class representative as your agent to make decisions on your behalf concerning the claim under the FLSA, the method and manner of conducting this litigation on these claims, the entering of an agreement with Plaintiff’s counsel concerning attorney’s fees and costs, and all other matters pertaining to these claims. These decisions and agreements made and entered into by the representative Plaintiffs will be binding on you if you join this lawsuit.

(6) NO LEGAL EFFECT IN NOT JOINING. If you choose not to join this suit, you will not be affected by the judgment, favorable or unfavorable. If you choose not to join this suit, you are free to file your own lawsuit or do nothing at all.

(7) CLASS COUNSEL. If you chose to join this suit, the named Plaintiffs, through their attorneys, will represent your interest. The Plaintiffs’ attorney and attorney for the class is: Michael Shen, Michael Shen & Associates, P.C.

(8) FURTHER INFORMATION. Further information about this suit, your rights to join in this action, information about filing a Consent to Join, and additional Consent to Join forms can be obtained by contacting Michael Shen, Esq., at 212-227-0300.

(9) RETALIATION PROHIBITED. The law prohibits anyone from discriminating or retaliating against anyone for taking part in this case.

Dated: New York, New York  
(DATE)

MICHAEL SHEN & ASSOCIATES, P.C.

By: \_\_\_\_\_  
MICHAEL SHEN  
Attorney for Plaintiffs  
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New York, New York 10007  
(212) 227-0300

THIS NOTICE AND ITS CONTENTS HAS BEEN  
AUTHORIZED BY THE FEDERAL DISTRICT COURT, HON.  
WILLIAM H. PAULEY III, U.S. DISTRICT COURT JUDGE.  
THE COURT HAS TAKEN NO POSITION REGARDING THE  
MERITS OF THE CLAIMS OR DEFENSES.